

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07CV142-H**

**ANDRE AIRLANGGA SIANIPAR, I  
KOMANG AGUS SURYATA, MADE  
INDRA BUDIAWAN,**

**Plaintiffs,**

**v.**

**GTN EMPLOYMENT AGENCY, INC.,  
LEETA KANG, SIMON KANG a/k/a IL  
KOO KANG, ART BRIDGMAN d/b/a  
BRIDGMAN VEGETABLE FARMS, MIKE  
MOORE d/b/a MIKE MOORE FARMS, PT.  
IRFAN JAYA SAPUTRA, PT. MUTIARA  
BRILLIAN SEJAHTERA,**

**Defendants.**

**MEMORANDUM AND ORDER**

**THIS MATTER** is before the Court on the “Plaintiffs’ Notice of Improper Removal and Motion for Remand” and “. . . Memorandum of Law in Support . . .” (document #7) filed April 10, 2007. The removing Defendant, Art Bridgman, consents to Remand.

On February 22, 2007, the Plaintiffs filed an action in North Carolina Superior Court of Mecklenburg County bringing claims under the Fair Labor Standards Act, 29 U.S.C. §§ 201 et seq. (“FLSA”), and several state law claims.

The Plaintiff’s sole federal claim was brought under the FLSA. On March 30, 2007, the Plaintiffs filed a Notice of Dismissal of their FLSA claims. Shortly thereafter, Defendant Bridgman filed a Notice of Removal which based removal on the already dismissed FLSA claim. The Complaint pending at the time of the removal did not state any federal claims.

The Plaintiffs seek to remand this action under 28 U.S.C. § 1477(c), arguing that this Court

lacks jurisdiction. The undersigned agrees and orders this action **REMANDED** to Mecklenburg County Superior Court.

**SO ORDERED.**

Signed: April 13, 2007

*Carl Horn, III*

Carl Horn, III  
United States Magistrate Judge

